

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC
MEETING DATE: 7/18/06
MEETING TIME: 7:00 pm

ITEM TITLE OR DESCRIPTION:

Second Reading Ordinance 2006-17, "AN ORDINANCE PROVIDING FOR THE SUSPENSION OF SUNDAY WORK PROHIBITIONS UNDER SOUTH CAROLINA LAW"

BACKGROUND OR HISTORY:

Oconee County has received a request from Wal-Mart to suspend the blue laws during the month of August for "Tax Free Weekend". Council has adopted Ordinance 2002-16 which suspends the blue laws for the month of December.

SPECIAL CONSIDERATIONS OR CONCERNS:

Council should consider making this decision effective permanently, rather than just for certain months.

STAFF RECOMMENDATION FOR COMMITTEE ACTION:

Second reading of Ordinance 2006-17.

FINANCIAL IMPACT:

N/A

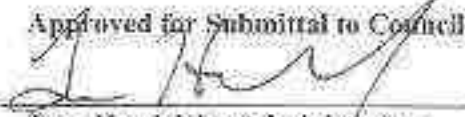
ATTACHMENTS:

Proposed Ordinance 2006-17

Submitted or Prepared By:

Opal O. Green
Department Head

Approved for Submittal to Council:


Tom Hendricks, Administrator

Reviewed By/Initials:

_____ :County Attorney

_____ :Finance

_____ :Other

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

ORDINANCE 2006-17

An Ordinance Suspending The Sunday Work Provisions Under South Carolina Code Section 53-1-10 et seq.

WHEREAS, Section 53-1-10 et seq., of the Code of Laws for the State of South Carolina prohibits the sale of certain items on Sunday but allows the sale of other items on Sunday; and

WHEREAS, South Carolina state law provides legal protection to workers who do not wish to work on Sunday or whose regular day of worship is Saturday; and

WHEREAS, Oconee County has received requests from businesses in Oconee County requesting that the County suspend the prohibition of the sale of certain items on Sunday;

NOW THEREFORE, BE IT ORDAINED by the Oconee County Council in session, duly assembled with quorum present and voting, the following:

Pursuant to South Carolina Code Section 53-1-160, Oconee County hereby suspends the prohibition of the sale of items set out in South Carolina Code 53-1-60.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC
COUNCIL MEETING DATE: 7/18/06
COUNCIL MEETING TIME: 7:00 pm

ITEM TITLE OR DESCRIPTION:

Second Reading of Ordinance 2006-20, "AN ORDINANCE AMENDING CHAPTER 6 OF ORDINANCE 99-14, PERFORMANCE STANDARDS ORDINANCE WITH THE REQUIREMENTS CONTAINED IN CHAPTER 7 & ABOLISHING CHAPTER 7"

BACKGROUND OR HISTORY:

County Council adopted Ordinance 2006-07 in May, 2006 requiring the establishment and maintenance of natural vegetative buffers as part of new construction projects on lake front properties and the upgrade of substandard county roads at the developer's expense for some subdivision development projects. In order to meet state requirements, the standards in Ordinance 2006-07 became a new chapter (Chapter 7) of the Oconee County Unified Performance Standards Ordinance. As a result, all appeals and variance requests resulting from the regulations are directed by the State to the Board of Zoning Appeals. However, as all other subdivision related matters in Oconee County are within the purview of the Planning Commission, the County Attorney and the Planning Director feel that the requirements should be moved into the Land Development and Subdivision Regulations (Chapter 6), and Chapter 7 abolished. On June 12, 2006, the Oconee County Planning Commission voted unanimously to recommend that County Council amend Chapter 6 of the Performance Standards with the standards contained in Chapter 7.

SPECIAL CONSIDERATIONS OR CONCERNS:

This Ordinance will be e-mailed or delivered to Council Members on Monday, June 26, 2006 for their review.

STAFF RECOMMENDATION FOR COMMITTEE ACTION:

Adoption of Ordinance 2006-20 on second reading.

FINANCIAL IMPACT:

N/A

ATTACHMENTS:

Proposed Ordinance 2006-20
Submitted or Prepared By:



Department Head/Elected Official

Approved for Submittal to Council:



Tom Hendricks, Administrator

Reviewed By/Initials:

_____/n/a_____:County Attorney

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2006-20**

**AN ORDINANCE AMENDING ORDINANCE 99-14, SPECIFICALLY CHAPTER
6 OF THE OCONEE COUNTY UNIFIED PERFORMANCE STANDARDS
CONCERNING SUBDIVISION AND LAND DEVELOPMENT**

WHEREAS, the Oconee County Council enacted Ordinance 2006-07 on May 1, 2006 which resulted in additional regulations on Subdivisions and Land Development in Oconee County; and

WHEREAS, Ordinance 2006-07 was added to the Unified Performance Standards as Chapter 7; and

WHEREAS, Ordinance 2006-07 involved regulations concerning subdivisions and land development and should be included in Chapter 6 of the Unified Performance Standards so that the variance procedure on subdivision and land development regulations are uniform.

NOW THEREFORE, BE IT ORDAINED by the Oconee County Council in session, duly assembled with quorum present and voting, the following:

Ordinance 99-14, specifically Chapter 6 of the Oconee County Unified Performance Standards, is hereby amended as follows and Chapter 7 of the Unified Performance Standards is hereby eliminated and are now incorporated into Chapter 6 as follows:

1. Section **6.3 DEFINITIONS** is hereby amended to include the following definitions:

Apartment Complex - A building or portion thereof, other than a hotel, divided into more than two dwelling units which are arranged in such a manner as to be used for lodging by separate households.

Condominium Complex - A building or group of buildings containing more than two dwelling units in which dwelling units are individually owned and where the structure, common areas and other facilities are owned by the developer and/or the owners of the individual units on a proportional or individual basis.

Full Pond Level - Full pond level is 800 feet above mean sea level on Lake Keowee, 1110 feet above mean sea level on Lake Jocassee, and 660 feet above mean sea level on Lake Hartwell.

Natural Vegetative Buffer - Plants, trees, and vegetation that normally survive in Oconee County without the need of fertilizers, herbicides or pesticides.

Oconee County Road - Any paved road, gravel road, dirt road or bridge that is owned and/or regularly maintained by Oconee County and considered part of the County road system.

Perennial Stream- Any creek, river, or other water course that has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year, and groundwater is the primary source of water for stream flow. Run-off from rainfall is a supplemental source of water for stream flow.

Potable Water - Water used or treated by a water company or utility to be sold for human consumption.

Road, County - Roads, avenues, boulevards, highways, freeways, lanes, courts, thoroughfares, collectors, minor roads, cul-de-sacs and other ways including the entire right-of-way considered public and both dedicated to and accepted by Oconee County. The following classifications shall be used in reference to roads regulated by the standards put forth in this ordinance:

A. Arterial Road - A major road that serves as an avenue for circulation into, out of, or around the County. Typical number of average daily traffic (ADT) exceeds 5000.

B. Collector Road - A road that has the primary purpose of intersecting traffic from intersecting local roads and handling movements to the nearest arterial road. A secondary function is to provide direct access to abutting properties. Typical number of average daily traffic (ADT) exceeds 800.

C. Local Road (major) - A road that has two or more access points. The primary purpose is to provide access to abutting properties. Typical number of average daily traffic (ADT) ranges from 401 to 800.

D. Local Road (minor) - A road that has the primary purpose of providing access to abutting properties. Typical number of average daily traffic (ADT) ranges from 0 to 400.

Road Classification- Upgrades of County roads, including paving specifications, shall be in accordance with the standards set forth in Oconee County's Performance Standards Subdivision Regulations. Minimum right-of-way and pavement widths shall be as follows:

Road Type	Right-of-Way	Pavement
Arterial	66 feet	28 feet
Collector	50 feet	24 feet
Local (Major)	50 feet	22 feet
Local (Minor)	50 feet	20 feet

Site Plan – The development plan for one or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, flood plains, wetlands, and waterways; landscaping and open spaces; walkways; means of ingress and egress; circulation; utility services; structures and buildings; signs and lighting; permits, buffers, and screening devices; surrounding development; and other information that reasonably may be required in order that an informed decision can be made by Osceola County.

Townhouse – A building or group of buildings containing a dwelling unit or units constructed in a series or group of attached units with property lines separating such units.

View Lane- The portion of a natural buffer utilized and maintained by the property owner to enhance observation of the lake and surrounding landscapes. Typically, the vegetation in the view lane is lower in height and/or smaller in diameter than that found in the rest of the buffer.

2. Section 6.3 **DEFINITIONS** is hereby amended as follows by substituting the definition set forth below for the definitions currently in Section 6.3

Dwelling - A building or portion of a building arranged and/or designed to provide living quarters for one or more families where each dwelling is provided with separate kitchen and bathroom facilities.

A. Single Family Dwelling- A detached dwelling designed for or occupied exclusively by one family on a single lot.

B. Duplex- A building arranged or designed to be occupied by two (2) families living independently of each other on a single lot.

C. Group Dwelling- A group of two or more principal structures built on a single lot, parcel or tract of land and designed for occupancy by separate families.

D. Multi-Family Dwelling- A building or series of buildings on the same lot used or designed as a dwelling place for two (2) or more families living independently of each other.

Road Right-of-Way Width – The distance between property lines measured at right angles to the centerline of the street on a platted right-of-way, or the distance on each side of the center line of the road as set forth in a deeded right-of-way.

Subdivision - All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets, and includes re-subdivision which would involve the further division

or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots of record. *A subdivision shall include townhouses, condominiums, apartments and multi-family housing.*

The following exceptions are included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivisions:

- (a) the combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the County;
- (b) the division of land into parcels of five acres or more where no new street is involved and plats of these exceptions must be received as information by the County Planning Commission which shall indicate that fact on the plats; and
- (c) the combination or recombination of entire lots of record where no new street or change in existing streets is involved.

3. Section **6.5 LOT IMPROVEMENTS** is hereby amended by adding Section 6.5.13 set forth below:

6.5.13 Vegetative Buffers. The approval of subdivisions, site plans and/or building permits for construction of new residential units or commercial projects to be located within one thousand feet (1000') of Lakes Keowee, Hartwell and Jocassee shall be contingent upon the establishment of a natural vegetative buffer of a width no less than twenty-five (25') feet, with a view line width of no more than 15% of the total length of a natural vegetative buffer. The buffer shall meet the following standards:

- a. To reduce non-point source pollution, a natural buffer of 25 feet shall be maintained with no grasses or ornamental vegetation established within that buffer. To reduce non-point pollution a vegetative buffer of 25 feet measured horizontally from the full pond elevation shall be maintained with no manicured lawns or other managed grasses established within that buffer. A diverse mix of native plants and unmanaged (uncut below 12 inches and untreated) native grasses are preferred vegetation where available and suited to the site. Additionally, no clear cutting or mowing, cultivation activities, fertilization, use of herbicides, fungicides, or pesticides shall occur within the 25 foot buffer area.
- b. No trees larger than six-inch caliper at four feet from the ground shall be removed unless certified to be a hazard by a registered forester.
- c. Trees may be limbed up to 50 percent of their height.

This regulation shall exempt projects that: are located on parcels lying no closer than twenty-five (25') feet from a lake shoreline or are located on parcels that are not traversed, either in full or in part, by a perennial stream, designated wetland, or other water course within one thousand (1000') feet of Lakes Keowee, Hartwell and Jocassee. The buffer shall begin at the lake's full pond level.

4. Section 6.7 **PUBLIC ROADS** is hereby amended by adding Section 6.7.14 set forth below:

6.7.14 Impact on Existing Road System- In order for Oconee County to approve a subdivision site plan, a subdivision plat or a building permit for a subdivision project, the county road or network of county roads that serve said proposed development must be adequate to accommodate any increase in traffic resulting from said proposed development. For all developments consisting of more than ten (10) dwelling units, the developer/subdivider shall submit a traffic impact/road capacity study demonstrating the impact of traffic upon any County road servicing the subdivision, either directly or indirectly. The traffic impact/road capacity study shall be reviewed by the Oconee County Planning Director and the County Engineer. In the event that the County Planning Director and the County Engineer determine that the subdivision will increase the average daily traffic (ADT) on a County road to the extent that said road will need to be upgraded to safely accommodate the increase in traffic, improvements to the road must be made in accordance with the Road Classification set forth below in the Definitions section of this Ordinance. The developer/subdivider shall be responsible for all costs (including right-of-way acquisition) necessary to upgrade the road.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC
COUNCIL MEETING DATE: 7/18/06
COUNCIL MEETING TIME: 7:00 pm

ITEM TITLE OR DESCRIPTION:

First reading of Ordinance 2006-21, "AN ORDINANCE ENACTING A CAPITAL PROJECT SALES TAX FOR OCONEE COUNTY"

BACKGROUND OR HISTORY:

On December 20, 2005, Oconee County Council adopted Resolution 2005-21, creating a Commission for the purpose of considering proposals for funding capital projects within Oconee County and the formulation of a referendum question which is to appear on the ballot. Members of the Capital Projects Sales Tax Commission were appointed by Oconee County and the municipalities of Oconee County in accordance with the provisions of Section 4-10-320 of the Capital Projects Sales Tax Act.

SPECIAL CONSIDERATIONS OR CONCERNS:

The one-cent local option sales tax has a seven year sunset clause and there are many needs in the County and the Municipalities that could be addressed through this method.

STAFF RECOMMENDATION FOR COUNCIL ACTION:

Consideration of Approval of Ordinance 2006-21 on first reading.

FINANCIAL IMPACT:

Unknown at this time; however the SC Department of Revenue estimates that Oconee County could receive approximately \$53,000,000 if the one-cent sales tax is approved.

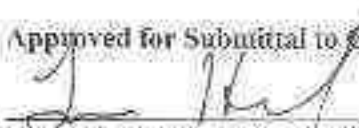
ATTACHMENTS:

Proposed Ordinance 2006-21

Submitted or Prepared By:

Opal O. Green
Department Head

Approved for Submittal to Council:


Tom Hendricks, County Administrator

Reviewed by:

___ N/A ___ : Finance

___ N/A ___ : County Attorney

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

ORDINANCE 2006-21

AN ORDINANCE ENACTING A CAPITAL PROJECT SALES TAX
FOR OCONEE COUNTY

(To Levy and impose a One Percent Sales and Use Tax, Subject to a Referendum, Within Oconee County Pursuant to the Capital Project Sales Tax Act, S.C. Code Ann. Section 4-10-300, et seq.; to Define the Specific Purpose or Purposes and Designate the Projects for Which the Proceeds of Such Tax May be Used; to Provide the Maximum Cost of the Projects or Facilities Funded from the Proceeds of Such Tax and the Maximum Amount of Net Proceeds to be Raised by Such Tax; to Provide for a County-Wide Referendum and to Prescribe the Contents of the Ballot Question in Such Referendum; to Provide Conditions Precedent to the Imposition of Such Tax and Condition or Restrictions on the Use of Such Tax Revenue; to Establish a Formula by Which Multiple Projects are Funded Simultaneously; to Provide for the Conduct of Such Referendum by the Oconee County Voters Registration and Election Commission to Provide for the Administration of Such Tax, if Approved; to Provide for the Payment of Such Tax; and to Provide for Other Matters Relating Thereto.)

WHEREAS:

1. The South Carolina General Assembly has enacted the Capital Project Sales Tax Act, S.C. Code Ann. Section 4-10-300 et seq., pursuant to which the governing body may impose a one percent sales and use tax by ordinance, subject to a referendum, within the County area for a specific purpose or purposes and for a limited time to collect a limited amount of money; and
2. The Oconee County Council, as the governing body of Oconee County, South Carolina, is authorized to create a commission subject to the provisions of S.C. Code Ann. Section 4-10-300 of the Capital Projects Sales Tax Act for the purpose of considering proposals for funding capital projects within the County area and the formulation of a referendum question which is to appear on the ballot. The Oconee County Council adopted Resolution 2005-21 pursuant to the Capital Projects Sales Tax Act on December 20, 2005, creating a Commission for the purpose of considering proposals for funding capital projects within Oconee County and the formulation of a referendum question which is to appear on the ballot. Members of the Capital Projects Sales and Use Tax Commission were appointed by Oconee County and the municipalities of Oconee County in accordance with the provisions of Section 4-10-320 of the Capital Projects Sales Tax Act; and
3. The Oconee County Capital Projects Sales and Use Tax Act Commission has considered proposals for funding capital projects within Oconee County and the

Commission, by vote of the Commission in public meetings duly advertised, has adopted the projects described in this Ordinance, estimated the costs of such projects, identified the purpose for which the proceeds of the proposed capital projects sales and use tax shall be used, established the maximum time for which the sales and use tax may be imposed at seven (7) years, established the maximum cost of the projects or facilities to be funded from the proceeds of the tax, and the maximum amount of net proceeds to be raised by the tax, established conditions precedent to the reimposition of the sales and use tax revenue collected pursuant to the Capital Project Sales Tax Act, established a formula by which the net proceeds of the sales and use tax are to be expended to the local governments for the purpose stated, and formulated the ballot question that is to appear on the ballot pursuant to Section 4-20-330(d) of the Capital Project Sales Tax Act; and

4. The Oconee County Council finds that a one percent sales and use tax should be levied and imposed within Oconee County, for the purpose of designing, engineering, construction or improving water and sewer facilities; and designing, engineering, constructing or improving public facilities for recreation, public safety and/or government services, more specifically identified in Section 5 of this Ordinance (herein referred to as the "projects" or the "capital projects") for a period not to exceed seven (7) years from the date of imposition of this tax, to fund capital projects as herein defined and described at a maximum cost not to exceed \$53,000,000.00 to be funded from the net proceeds of sales and use tax imposed in Oconee County pursuant to provisions of the Capital Sales Tax Act, SC Code Ann. Section 4-10-300 et seq. subject to approval of the qualified electors of Oconee County voting in a referendum on the imposition of a capital projects sales and use tax in Oconee County to be held on November 7, 2006. The imposition of such sales and use tax and the use of sales and use tax revenue, if approved in such referendum, shall be subject to the conditions precedent and conditions or restrictions on the use and expenditure of sales and use tax revenue as established by the Capital Project Sales Tax Act and the provisions of this Ordinance. Sales and use tax revenues shall be used for the purchase, design, engineering and construction or improvement of the projects established in this Ordinance including payment of such sums as may be required in connection with this issuance of revenue bonds, the proceeds of which are applied to such capital projects; and

5. County Council finds that the imposition of a capital projects sales and use tax in Oconee County for the projects and purposes defined in this Ordinance for a limited time not to exceed seven (7) years to collect a limited amount of money will serve a public purpose, provide funding for the design, engineering, construction and improvement of water and sewer lines, facilitate economic development, promote public safety, provide necessary infrastructure, promote desirable living conditions, provide improved recreational facilities and opportunities, promote public health and safety in the event of fire, emergency, panic and other dangers and meet present and future needs of Oconee County and its citizens.

NOW THEREFORE BE IT ENACTED BY THE OCONEE COUNTY COUNCIL THAT:

1. A capital project sales and use tax, as authorized by the Capital Project Sales Tax Act, S.C. Code Ann. Section 4-20-300 et seq., is hereby imposed in Oconee County, South Carolina, subject to a favorable vote of a majority of the qualified electors voting in a referendum on the imposition of such tax to be held in Oconee County, South Carolina on November 7, 2006.

2. The capital project sales and use tax authorized herein shall be imposed for a period not to exceed seven (7) years from the date of imposition.

3. The maximum cost of the projects or facilities to be funded from proceeds of the sales and use tax imposed herein shall not exceed, in the aggregate, the sum of \$53,000,000.00, and the maximum amount of net proceeds to be raised by the tax shall not exceed \$53,000,000.00.

4. The sales and use tax imposed herein shall be imposed only if approved by a majority of qualified electors voting in favor of imposing such tax for the stated purposes in a referendum to be held in Oconee County, South Carolina on November 7, 2006.

5. The capital projects sales and use tax authorized by this Ordinance shall be expended for the purposes stated as follows:

I. The first \$2,071,680.00 collected under the Capital Project Sales and Use Tax shall be distributed to the following: Municipalities and Oconee County in the priority listed below:

A. \$1,712,700.00 for the following projects within Oconee County, which projects shall be completed in the order determined by the Oconee County Council:

- \$3,000.00 for Awning and Storage Improvements for the Ebenezer Community
- \$7,000.00 for the Animal Shelter for the Humane Society
- \$12,000.00 for the Walking Track at Fair Oak Elementary School
- \$16,000.00 for the Food Preparation Building for the Mountain Rest Community Club
- \$20,000.00 for a new roof for the Wadhwa Civic Auditorium
- \$25,000.00 for Drainage and Parking Improvements for the Ebenezer Community
- \$119,700.00 for Improvements to the Patriot's Hall Veteran's Museum
- \$140,000.00 for a Sub-Station for the Keowee Fire Department
- \$300,000.00 for the Day Area at Senior Solutions' Oconee Senior Center
- \$375,000.00 for a Fire Department Addition/Annex for the Keowee Fire Department
- \$320,000.00 for an Office Complex for Seneca Chamber of Commerce
- \$375,000.00 for the Fire Department Building for the Fairplay Fire Department

B. \$33,980.00 to the Town of West Union for the West Union School Renovations

C. \$325,000.00 to the City of Seneca for Renovations of Blue Ridge Field

II. The next \$50,928,320.00 collected under the Capital Project Sales and Use Tax shall be distributed proportionally, as received, among the following six jurisdictions in the percentages shown:

Oconee County (50.46%); the City of Seneca (26.24%); City of Walhalla (12.96%); the City of Westminster (8.38%); Town of Salem (0.98%); Town of West Union (0.98%) for the following projects:

A. \$25,700,000.00 for the following projects within Oconee County, which projects shall be completed in the order determined by the Oconee County Council:

- \$8,500,000.00 for a Library in Seneca, South Carolina
- \$7,700,000.00 for a Recreation Center in Oconee County
- \$5,000,000.00 for Sewer Facilities in the Fairplay area
- \$4,500,000.00 for Pioneer Water District for Water Line Upgrades in the Fairplay area

B. \$13,560,760.00 for the following projects within the City of Seneca, which project shall be completed in the order determined by the Seneca City Council:

- \$150,000.00 for Tennis Court
- \$150,000.00 for 911 Back-up Generation
- \$200,000.00 for a Walking Track
- \$1,210,760 for a Swimming Pool
- \$1,750,000.00 for a Sodium Hypochlorite Disinfection System
- \$1,800,000.00 for an Elevated Storage Tank near the Hospital
- \$2,500,000.00 for an Elevated Storage Tank near Highway 130 and Doug Hollow Road
- \$3,000,000.00 for a Water Plant Extension
- \$2,600,000.00 for Water Distribution System Upgrades

C. \$6,600,000.00 for the following projects within the City of Walhalla, which projects shall be completed in the order determined by the Walhalla City Council:

- \$300,000.00 for Water and Sewer Upgrades on Main Street
- \$500,000.00 for Fire House Renovation/Expansion
- \$1,049,000.00 for Ball Field Construction (Phases 1, 2 and 3)
- \$3,900,000.00 for Water Plant Upgrade
- \$851,000.00 for City Hall

D. \$4,267,560.00 for the following projects within the City of Westminster, which Projects shall be Completed in the Order Determined by the Westminster City Council:

- \$84,000.00 for Westminster Depot Restoration
- \$133,560.00 for Skateboard Park
- \$500,000.00 for Water Main Line to Border with Georgia
- \$750,000.00 for Electric Distribution/Voltage Conversion
- \$1,360,000.00 for Water Main Line "Northern Loop"
- \$1,500,000.00 for Gymnasium

F. \$500,000.00 for the following project within the Town of Salem:

- \$500,000.00 for Water System Upgrades and Extensions

F. \$500,000.00 for the following project within the Town of West Union:

- \$500,000.00 for

TOTAL COST OF ALL CAPITAL PROJECTS: \$53,000,000.00

6. If the imposition of the sales and use tax is approved by a majority of the qualified electors voting in a referendum to be held in Oconee County on November 7, 2006, the tax is to be imposed on May 1, 2007, provided the Oconee County Voter Registration and Election Commission shall certify the results of the referendum and certify such results to the South Carolina Department of Revenue in a timely manner.

7. The capital projects sales and use tax imposed by this Ordinance, if approved in the referendum conducted on November 7, 2006, shall terminate on the earlier of:
 (1) the final day of the seventh year following imposition of the tax; or
 (2) the end of the calendar year during which the Department of Revenue determined that the tax has raised revenues sufficient to provide the net proceeds equal to or greater than the amount specified in the referendum questions.

8. Amounts of sales and use tax collected in excess of the required net proceeds must first be applied, if necessary to complete a project for which the tax was imposed including payment of such sums as may be required in connection with the issuance of bonds and other debt obligations, the proceeds of which are applied to such capital projects; otherwise, the excess funds must be credited to the general fund of the governmental entity or entities receiving the proceeds of the tax, in the proportion in which they received the net proceeds of the tax while it was imposed.

9. The capital projects sales and use tax levied pursuant to this Ordinance must be administered and collected by the South Carolina Department of Revenue in the same manner that other sale and use taxes are collected. The Department may prescribe amounts that may be added to the sales price because of the tax.

10. The tax authorized by this Ordinance is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable area that is subject to the tax imposed by Chapter 36 of the Code of Laws of South Carolina, and the enforcement provisions of Chapter 54 of Title 12 of the Code of Laws of South Carolina. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36 of Title 12 of the Code of Laws of South Carolina are exempt from the tax imposed by this Ordinance. The tax imposed by this Ordinance also applies to tangible personal property subject to the use tax in Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina.

11. Taxpayers required to remit taxes under Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina must identify the county, municipality or both in which the personal property purchased at retail is stored, used or consumed in this State.

12. Utilities are required to report sales in the county, municipalities or both, in which the consumption of the tangible personal property occurs.

13. A taxpayer subject to the tax imposed by Section 12-36-920, South Carolina Code Ann., who owns or manages rental units in more than one county, municipality or combination there, must report separate in his sales tax return the total gross proceeds from business done in each county or municipality.

14. The gross proceeds of sales of tangible personal property delivered after the imposition date of the tax levied under this article in a county, either under the terms of a construction contract executed before the imposition date, culminating in a construction contract entered into before or after the imposition date, are exempt from the sales and use tax provided in this article if a verified copy of the contract is filed with the Department of Revenue within six months after the imposition date of the sales and use tax provided for in this Ordinance.

15. Notwithstanding the imposition date of the sales and use tax authorized pursuant to this section, with respect to services that are billed regularly on a monthly basis, the sales and use tax authorized pursuant to this article is imposed beginning on the first day of the billing period beginning on or after the imposition date.

16. The revenues of the tax collected under this Ordinance must be remitted to the South Carolina Department of Revenue and placed on deposit with the State Treasurer and credited to a fund separate and distinct from the general fund of the State. After deducting the amount of any refunds made and costs to the Department of Revenue of administering the tax, not to exceed one percent of such revenues, the State Treasurer shall distribute the revenues quarterly to the County Treasurer in the County area in which the tax is imposed and the revenue must be used only for the purposes stated in the imposition Ordinance. The State Treasurer may correct misallocations by adjusting subsequent distributions, but these distributions must be made in the same fiscal year as the misallocation.

17. The Department of Revenue shall furnish data to the State Treasurer and the Oconee County Treasurer for the purpose of calculating distributions and estimating revenues. The information which must be supplied to counties and municipalities upon request includes, but is not limited, to, gross receipts, net taxable sales, and tax liability to taxpayers. Information about a specific taxpayer is considered confidential and is governed by the provisions of South Carolina Code Ann. Section 12-54-240. Any person violating the provisions of this section shall be subject to the penalties provided for in South Carolina Code Ann., Section 12-54-240.

18. The Oconee County Voter Registration and Election Commission shall conduct a referendum on the question of imposing a capital projects sales and use tax in the area of Oconee County on Tuesday, November 7, 2006, between the hours of 7 a.m. and 7 p.m. under the election laws of the State of South Carolina, mutatis mutandis. The Oconee County Registration and Election Commission shall publish in a newspaper of general circulation the question that is to appear on the ballot, with the list of capital projects and the cost of projects, and shall publish such election and other notices as are required by law.

19. The referendum question to be on the ballot of the referendum to be held in Oconee County on November 7, 2006, must read as follows:

Must a special one percent sales and use tax be imposed in Oconee County for not more than seven (7) years to raise the amounts specified for the following purposes:

I. The first \$1,746,680.00 collected under the Capital Project Sales and Use Tax shall be distributed to the following Municipality and Oconee County as listed below:

A. \$1,712,760.00 for the following projects within Oconee County, which projects shall be completed in the order determined by the Oconee County Council:

- \$3,000.00 for Awning and Storage Improvements for the Ebenezer Community
- \$7,000.00 for the Animal Shelter for the Humane Society
- \$12,000.00 for the Walking Track at Fair Oak Elementary School
- \$16,000.00 for the Food Preparation Building for the Mountain Rest Community Club
- \$20,000.00 for new roof for the Walhalla Civic Auditorium
- \$25,000.00 for Drainage and Parking improvements for the Ebenezer Community
- \$119,700.00 for Improvements to the Patriot's Hall Veteran's Museum
- \$140,000.00 for Sub-Station for Keowee Fire Department
- \$300,000.00 for Day Area at Senior Solutions' Oconee Senior Center
- \$375,000.00 for Fire Department Addition Annex for Keowee Fire Department
- \$320,000.00 for Office Complex for Seneca Chamber of Commerce
- \$375,000.00 for Fire Department Building for Fairplay Fire Department

B. \$33,980.00 to the Town of West Union for the West Union School Renovations.

II. The next \$50,967,560.00 collected under the Capital Project Sales and Use Tax shall be distributed proportionally, as received, among the following six jurisdictions in the percentages shown:

Oconee County (50.42%); the City of Seneca (26.29%); City of Walhalla (12.94%); the City of Westminster (8.37%); Town of Salem (0.98%); Town of West Union (0.98%) for the following projects:

A. \$25,700,000.00 for the following projects within Oconee County, which projects shall be completed in the order determined by the Oconee County Council:

- \$8,500,000.00 for a Library in Seneca, South Carolina
- \$7,700,000.00 for a Recreation Center in Oconee County
- \$5,000,000.00 for Sewer Facilities in the Fairplay area
- \$4,500,000.00 for Pioneer Water District for Water Line Upgrades in the Fairplay area

B. \$13,360,760.00 for the following projects within the City of Seneca, which project shall be completed in the order determined by the Seneca City Council:

- \$150,000.00 for Tennis Court
- \$150,000.00 for 911 Back-up Generation
- \$200,000.00 for a Walking Track
- \$1,210,760 for a Swimming Pool
- \$1,750,000.00 for a Sodium Hypochlorite Disinfection System
- \$1,800,000.00 for an Elevated Storage Tank near the Hospital
- \$2,500,000.00 for an Elevated Storage Tank near Highway 130 and Doug Hollow Road
- \$3,000,000.00 for a Water Plant Extension
- \$2,600,000.00 for Water Distribution System Upgrades

C. \$6,600,000.00 for the following projects within the City of Walhalla, which projects shall be completed in the order determined by the Walhalla City Council:

- \$300,000.00 for Water and Sewer Upgrades on Main Street
- \$500,000.00 for Fire House Renovation/Expansion
- \$1,049,000.00 for Ball Field Construction (Phases 1, 2 and 3)
- \$3,900,000.00 for Water Plant Upgrade
- \$851,000.00 for City Hall

D. \$4,267,560.00 for the following projects within the City of Westminster, which Projects shall be Completed in the Order Determined by the Westminster City Council:

- \$34,000.00 for Westminster Depot Restoration
- \$133,560.00 for Skateboard Park
- \$500,000.00 for Water Main Line to Border with Georgia
- \$750,000.00 for Electric Distribution/Voltage Conversion
- \$1,300,000.00 for Water Main Line "Northern Loop"
- \$1,500,000.00 for Gymnasium

E. \$500,000.00 for the following project within the Town of Salem:

- \$500,000.00 for Water System Upgrades and Extensions

F. \$500,000.00 for the following project within the Town of West Union:

- \$500,000.00 for:

TOTAL COST OF ALL CAPITAL PROJECTS: \$53,000,000.00

20. In the referendum on the imposition of a special projects sales and use tax in Oconee County, all qualified electors desiring to vote in favor of imposing the tax for the stated purpose shall vote "yes" and all qualified electors opposed to levying the tax shall vote "no." If a majority of the electors voting in the referendum shall vote in favor of imposing the tax, then the tax is imposed as provided in Capital Project Sales Tax Act, Section 4-40-330 et seq., and this Ordinance. Expenses of the referendum must be paid by the governmental entity or entities that would receive the proceeds of the tax in the same proportion that those entities would receive the net proceeds of the tax.

21. Upon receipt of the returns of the referendum, the Oconee County Council shall, by Resolution, declare the results thereof. The results of the referendum, as declared by the Resolution of the Oconee County Council, are not open to question, except by suit or proceeding instituted within thirty (30) days from the date that Oconee County Council shall adopt a Resolution declaring the results of such referendum.

22. The imposition of a capital project sales and use tax in Oconee County is subject in all respects to the favorable vote of a majority of qualified electors casting votes in a referendum on the question of imposing a capital project sales and use tax in the area of Oconee County in a referendum to be conducted by the Registration and Election Commission of Oconee County on November 7, 2006, and the favorable vote of a majority of the qualified electors voting in such referendum shall be a condition precedent to the imposition of a capital project sales and use tax pursuant to the provisions of this Ordinance.

23. This Ordinance shall take effect immediately upon adoption.

24. All provisions in other County Ordinance in conflict with this Ordinance are hereby repealed.

25. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

This Ordinance shall become effective upon third and final reading.

ORDINANCE NO. 2006-022

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AS LESSOR, AND PROJECT TROUT, AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES

ORDINANCE NO. 2006-023

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT TROUT FOR GRANTING CERTAIN INFRASTRUCTURE CREDITS TO PROJECT TROUT

ORDINANCE NO. 2006-024

AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS FOR 1976, SECTION 4-1-170 ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAX TO THE COUNTIES AND RELEVANT TAXING ENTITIES.

**INDUCEMENT AGREEMENT
AND MILLAGE RATE AGREEMENT**

THIS INDUCEMENT AGREEMENT made and entered into by and between Oconee County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina (jointly hereinafter the "County") and Project Trout (the "Company").

WITNESSETH:

ARTICLE I

RECITATION OF FACTS

Section 1.1. As a means of setting forth the matters of mutual inducement which have resulted in the making and entering into of this Agreement, the following statements of fact are herewith recited:

- (a) The County is authorized and empowered by the provisions of Title 4, Chapter 1, and Title 12, Chapter 44 Code of Laws of South Carolina, 1976, as amended (jointly the "Act") to acquire, enlarge, improve, expand, equip, furnish, own, lease, and dispose of properties through which the industrial development of the State of South Carolina will be promoted and trade developed by inducing new industries to locate in the State and by encouraging industries now located in the State to expand their investments and thus utilize and employ manpower and other resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally.
- (b) The Company is considering the acquisition by construction, purchase or lease of facilities and capabilities to be used for a manufacturing facility (the "Project") in the County. The Project will involve an investment of at least Eighteen Million Dollars (\$18,000,000) within the meaning of Section 12-44-10 et seq. of the Act and a fee in lieu of tax agreement by and between the Company and the County (the "Fee Agreement").
- (c) The Company has requested the County to assist it (i) through the acquisition by the County of the Project and the leasing of the Project to the Company; and (ii) the inclusion of the Project within a multi-county park pursuant to Section 4-1-170 of the Act (the "Park") and (iii) through the incentive of a payment in lieu of ad valorem taxes as authorized by Section 12-44-10 et seq. of the Act.
- (d) The County has given due consideration to the economic development impact of the Project, has found that the Project and the payments in lieu of ad valorem taxes set forth herein are beneficial to the Project and that the Project would benefit the general public welfare of the County by providing service, employment, recreation or other public benefits not otherwise provided locally; and, that the Project gives rise to no pecuniary liability of

the County or incorporated municipality or a charge against the general credit or taxing power of either, and, that the purposes to be accomplished by the Project, i.e., economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes and that the inducement of the location or expansion of the Project within the County and State is of paramount importance and that the benefits of the Project will be greater than the costs; and, has agreed to effect the issuance and delivery of this Agreement, pursuant to the Act, and on the terms and conditions hereafter set forth.

(e) The County will provide an infrastructure credit against payments in lieu of taxes as defined in Section 4-1-175 and Section 12-44-70 of the Act (the "Infrastructure Credit") in an annual amount equal to twenty-five percent (25%) of the payments in lieu of taxes allocated to the County taxing entities pursuant to the County and an adjacent County, Joint County Industrial and Business Park Agreement to be established by the County (the "Park Agreement") from the first ten (10) years of fee in lieu of tax payments on the Project. The adoption of ordinances and procedures for the provision of the Infrastructure Credit to the Company shall conform to the provisions of the Act and the Home Rule Act.

ARTICLE II

UNDERTAKINGS ON THE PART OF THE COUNTY

The County agrees as follows:

Section 2.1. The Project will be constructed or installed by the Company on the sites now owned or hereafter acquired by the Company and will involve a capital expenditure of not less than \$18,000,000. The Fee Agreement will contain suitable provisions for acquisition and construction of the project by the Company at the completion or earlier termination of the Fee Agreement.

Section 2.2. The Fee Agreement will be issued at such times and upon such acceptable terms to the County as the Company shall request subject to Section 4.2 herein.

Section 2.3. The terms and provisions of the Fee Agreement by and between the County and the Company shall be substantially in the form generally utilized in connection with the Act as agreed upon by the County and the Company. Such Fee Agreement shall contain, in substance, the following provisions:

(a) The term of the Fee Agreement will coincide with the maximum term of the negotiated fee pursuant to the Act.

(b) The Company will maintain the Project and will (i) keep the Project insured against loss or damage or perils generally insured against by industries or businesses similar to the Company and will carry public liability insurance covering personal injury, death or property damage with respect to the Project, or (ii) self-insure with respect to such risks in the same manner as it does with respect to similar property owned by the Company; or (iii) maintain a combination of insurance coverage and self-insurance as to such risks.

(c) The Fee Agreement shall provide that, in the performance of the agreements contained therein on the part of the County, any obligations the County may incur for the payment of money shall not create a pecuniary liability of the County nor create a general obligation on its part or by the State of South Carolina or any incorporated municipality, but shall be payable solely from the payments received under such Fee Agreement and, under certain circumstances, insurance proceeds and condemnation awards.

(d) The Fee Agreement shall contain agreements providing for the indemnification of the County and the individual officers, agents and employees thereof for all expenses incurred by them and for any claim of loss suffered or damaged to property or any injury or death of any person occurring in connection with the planning, design, acquisition, construction and carrying out of the Project.

(e) The Fee Agreement shall contain a provision requiring the Company to make payments in lieu of taxes. Pursuant to the Act, such payments shall continue for a period of up to twenty (20) years from the date of the Fee Agreement and each of the annual capital investments made under the Fee Agreement for the first five years, not counting the initial year of the Fee Agreement, and any amendments or supplements to the Fee Agreement to the extent permitted by law. The amounts of such payments shall be determined by using an assessment ratio of 6.0%, a fixed millage rate based on the June 30, 2006 millage rate as provided in Section 50(D)(2)(a), and the fair market value (which value is not subject to reassessment as provided in the Act) as determined by using original cost for any real property and original cost less allowable depreciation for any personal property in accordance with Title 12, Chapter 37, Code of Laws of South Carolina 1976, as amended.

(f) The Fee Agreement shall provide that at the end of the lease term or upon earlier termination of the Fee Agreement and upon payment of all outstanding indebtedness incurred thereunder, if any, the Company shall have the absolute right, at its option to purchase the Project for one dollar (\$1.00).

(g) The County and the Company agree, in accordance with the Act, that the Company may dispose of property subject to fee payments, as set forth in this Section.

(1) When the Company disposes of property subject to the fee, the fee payment must be reduced by the amount of the fee payment applicable to that property.

(2) Property shall be considered disposed of for purposes of this Section only when it is scrapped or sold in accordance with the Fee Agreement.

(3) The Company will be allowed to replace personal property subject to the Fee Agreement to the full extent provided by law.

Section 2.4. Upon the request of the Company, the County will permit the planning, design, acquisition, construction and carrying out of the Project to commence prior to the execution and delivery of the Fee Agreement. Contracts for construction and for purchase of machinery, equipment and related real and personal property deemed necessary under the Fee Agreement may be let by the Company.

Section 2.5. Oconee County Council agrees that this Agreement constitutes a Millage Rate Agreement, within the meaning of the Act, providing the Company with the millage rate legally levied and applicable on June 30, 2006.

Section 2.6. (a) Oconee County Council does hereby agree, subject to the requirements of Section 4-1-175 and Section 12-44-70 of the Act and the Home Rule Act, to undertake the preparation and adoption of an ordinance authorizing the provision of the Infrastructure Credit which shall be made available to pay or reimburse the payment of a portion of or all of the costs of the infrastructure improvements for the Project. The Infrastructure Credit will be payable exclusively from payments the County receives and retains from the Company in lieu of taxes under the Fee Agreement authorized in Section 2.3 hereof. The Infrastructure Credit shall not constitute a general obligation of indebtedness of the County nor a pledge of the full faith and credit or the taxing power of the County. Provided, for so long as the Fee Agreement remains in full force and effect, the Infrastructure Credit shall be paid solely by setoff by the Company against fee in lieu of tax payments due under the Fee Agreement.

(b) The undertakings of the County hereunder are contingent upon the Company providing the County with such further evidence as may be satisfactory to the County as to compliance with all applicable statutes and regulations.

ARTICLE III

UNDERTAKINGS ON THE PART OF THE COMPANY

Section 3.1. Prior to execution of the Fee Agreement and subsequent to this Agreement, the Company may advance any acquisition or construction funds required in connection with the planning, design, acquisition, construction and carrying out of the Project including any infrastructure and be entitled to subject the constructed or acquired property to the Fee Agreement.

Section 3.2. The County will have no obligation to assist the Company in finding a bank and the Company may endeavor to finance the Project to the extent required to finance the cost of the acquisition and installation of the Project and the costs of the fee in lieu of tax transaction.

Section 3.3. If the Project proceeds as contemplated, the Company further agrees as follows:

(a) To obligate itself to make the payments required by the Act including, but not limited to, payments in lieu of taxes at rates calculated in accordance with Section 2.3 (f) hereof;

(b) To indemnify, defend, and hold the County harmless from all pecuniary liability and to reimburse it for all expenses to which it might be put in the fulfillment of its obligations under this Agreement and in the implementation of its terms and provisions;

(c) To perform such further acts and adopt such further proceedings as may be required to faithfully implement its undertakings and consummate the proposed financing;

(d) To apply for and use its best efforts to obtain, all permits, licenses, authorizations and approvals required by all governmental authorities in connection with the acquisition, construction, operation and use of the Project;

(e) To indemnify, defend and hold the County and the individual directors, officers, agents and employees thereof harmless against any claim or loss or damage to property or any injury or death of any person or persons occurring in connection with the planning, design, acquisition, construction, leasing and carrying out of the Project. The Company also agrees to reimburse or otherwise pay, on behalf of the County, any and all expenses not hereinbefore mentioned incurred by the County in connection with the Project. This indemnity shall be superseded by a similar indemnity in the Fee Agreement; and

(f) To invest not less than Eighteen Million Dollars (\$18,000,000) in the Project by the fifth succeeding year after the year of the execution of the Fee Agreement.

ARTICLE IV

GENERAL PROVISIONS

Section 4.1. All commitments of the County under Article II hereof are subject to all of the provisions of the Act and the Home Rule Act, including, without limitation, the condition that nothing contained in this Agreement shall constitute or give rise to a pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing powers of either.

Section 4.2. All commitments of the County and the Company hereunder are subject to the condition that the County and the Company agree on mutually acceptable terms and conditions of all documents, the execution and delivery of which are contemplated by the provisions hereof.

Section 4.3. If for any reason this Agreement is not executed and delivered by the Company on or before December 31, 2006 the provisions of this Agreement shall be cancelled and neither party shall have any rights against the other and no third parties shall have any rights against either party except:

- (a) The County will convey to the Company any title it may have acquired to the Project, to the extent of its ownership therein, if any;
- (b) The Company will pay the County for all expenses which have been authorized by the Company and incurred by the County in connection with the planning, design, acquisition, construction and carrying out of the Project and for all expenses incurred by the County in connection with the authorization and approval of the Fee Agreement or this Agreement;
- (c) The Company will assume and be responsible for all contracts for construction or purchase of the Project entered into by the County at the request or direction of the Company in connection with the Project; and
- (d) The Company will pay the out-of-pocket expenses of officers, agents and employees of the County and counsel for the County incurred in connection with the Project and the execution of the Fee Agreement, and will pay fees for legal services related to the Project and the execution of the Fee Agreement.

Section 4.4. The parties understand that the Company may choose not to proceed with the Project, in which event this Agreement shall be cancelled and, subject to parties' obligations described in Section 4.3, neither party shall have any further rights against the other, and no third party shall have any rights against either party.

Section 4.5. To the maximum extent allowable under the Act, the Company may, without the prior consent of the County, assign (including, without limitation, absolute, collateral, and other Assignments) all or a part of its rights and/or obligations under this Inducement Agreement, the Fee Agreement, or any other Agreement related hereto or thereto, to one or more other entities which

are "Related Parties" within the meaning of the Internal Revenue Code without adversely affecting the benefits to the Company or its Assignees pursuant to any such Agreement or the Act.

IN WITNESS WHEREOF, the parties hereto, each after due authorization, have executed this Inducement Agreement on the respective dates indicated below.

OCONEE COUNTY, SOUTH CAROLINA

By: H. Frank Ables, Jr.
H. Frank Ables, Jr., Chairman of County Council,
Oconee County, South Carolina

ATTEST:

By: Opal O. Green
Opal O. Green, Clerk to County Council
Oconee County, South Carolina

Dated: 7/18/06

PROJECT TROUF

By: _____

Its:

Date:

PROJECT TROUT

By: _____

Its:

Date:

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC
COUNTY MEETING DATE: 7/18/06
COUNCIL MEETING TIME: 7:00 pm

ITEM TITLE OR DESCRIPTION:

Adoption of Resolution 2006-13, "A RESOLUTION TO PROVIDE FOR A REFERENDUM TO ALLOW THE QUALIFIED ELECTORS OF OCONEE COUNTY, SOUTH CAROLINA TO VOTE TO RETAIN FIVE COUNTY COUNCIL DISTRICTS OR CHANGE TO SEVEN COUNTY COUNCIL DISTRICTS"

BACKGROUND OR HISTORY:

At the June 27, 2006 Oconee County Council Meeting, upon motion of Mr. Marion Lyles, seconded by Mr. Crumpton, Council unanimously voted to consider this resolution.

SPECIAL CONSIDERATIONS OR CONCERNS:

Adoption of this resolution would change the number of Council Districts from five to seven in Oconee County.

STAFF RECOMMENDATION FOR COUNCIL ACTION:

Consideration of adoption of Resolution 2006-13.

FINANCIAL IMPACT:

At the present yearly salary of \$8,000 per Council Member, a vote in favor of changing from five Council Districts to seven Council Districts would cost the County an additional \$16,000 plus fringe annually.

ATTACHMENTS:

Proposed Resolution

Submitted or Prepared By:

Opal O. Green
Department Head

Approved for submittal to Council:


Tom Hendricks, Council Administrator

Reviewed By/Initials:

___ n/a ___; County Attorney

___ n/a ___; Finance

___ n/a ___; Other

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

RESOLUTION 2006-13

**A RESOLUTION TO PROVIDE FOR A REFERENDUM TO ALLOW THE
QUALIFIED ELECTORS OF OCONEE COUNTY, SOUTH CAROLINA TO
VOTE TO RETAIN FIVE COUNTY COUNCIL DISTRICTS OR CHANGE TO
SEVEN COUNTY COUNCIL DISTRICTS.**

Section I. Authority/Purpose. This Resolution is authorized pursuant to Section 4-9-10 et. seq. of the South Carolina Code of Laws (1976), as amended. The purpose of this Resolution shall be to provide for a referendum to allow the qualified electors of Oconee County, South Carolina to vote to retain five (5) County Council Districts or change to a seven (7) County Council Districts.

Section II. Effect. The Oconee County Voter Registration and Election Commission shall take such steps as are necessary and appropriate to hold a referendum in conjunction with the general election to be held on November 7, 2006 to allow the qualified electors of Oconee County, South Carolina to vote to retain five (5) County Council Districts or change to seven (7) County Council Districts.

The question for such referendum shall be stated as follows:

Are you in favor of Oconee County retaining its present number of five (5) County Council Districts, or are you in favor of the County increasing the number of County Council Districts to seven (7).

IN FAVOR OF RETAINING THE PRESENT NUMBER OF FIVE (5)
COUNTY COUNCIL DISTRICTS.

IN FAVOR OF CHANGING TO SEVEN (7) COUNTY COUNCIL DISTRICTS.

Section III. Implementation. The Oconee County Voter Registration and Elections Commission shall verify the results of such referendum as provided by law.

Should the present form of five (5) County Council Districts receive a majority favorable vote of those qualified electors voting, the present number of five (5) County Council Districts shall continue without further action by the Oconee County Council. Should a change to seven (7) County Council Districts receive a majority favorable vote of those qualified electors voting, then, in such event, the Oconee County Council shall enact an Ordinance establishing seven (7) County Council Districts in accordance with the provisions of applicable law.

Section IV. Savings Clause. If any word, sentence, paragraph, or provision of this Ordinance shall be held invalid for any reason, the remaining words,

sentences, paragraphs and provisions shall not be affected but shall remain in full force and effect.

APPROVED, RATIFIED AND ADOPTED on first and final reading this
day of _____, 2006.

H. Frank Able, Jr., Chair
Geaux County Council

Attest:

Opal O. Green
Clerk to Council

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT TROUT WHEREBY, UNDER CERTAIN CONDITIONS, OCONEE COUNTY WILL EXECUTE A FEE IN LIEU OF TAX AGREEMENT FOR THE PROJECT INVOLVING NOT LESS THAN EIGHTEEN MILLION DOLLARS (\$18,000,000) INVESTMENT AND OCONEE COUNTY WILL PROVIDE AN INFRASTRUCTURE TAX CREDIT

WHEREAS, Oconee County, South Carolina (the "County"), acting by and through its County Council (the "County Council") is authorized and empowered under and pursuant to the provisions of Title 4, Chapter 1, and Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended (jointly the "Act"), to acquire, or cause to be acquired, properties and to enter into agreements with any industry to construct, operate, maintain and improve such property; to enter into or allow financing agreements with respect to such projects; and, to accept any grants for such infrastructure through which powers the economic development of the State of South Carolina will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State of South Carolina and thus utilize and employ the manpower, agricultural products and natural resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally;

WHEREAS, the County is authorized by the Act to execute a fee in lieu of tax agreement, as defined in the Act, with respect to such infrastructure;

WHEREAS, Project Trout (the "Company"), has requested the County to participate in executing an Inducement and Millage Rate Agreement and a Fee in Lieu of Tax Agreement (the "Fee Agreement") pursuant to the Act for the purpose of authorizing and of acquiring by purchase or construction of certain building(s), machinery, apparatus, and equipment, for the purpose of a manufacturing facility (the "Project"), all as more fully set forth in the Inducement and Millage Rate Agreement (the "Inducement Agreement") attached hereto;

WHEREAS, the County has determined that the Project would benefit the general public welfare of the County by providing service, employment, recreation or other public benefits not otherwise provided locally; and, that the Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against the general credit or taxing power of either; and that the purposes to be accomplished by the Project, i.e., economic development, creation of jobs, and addition to the tax base of the County, are proper governmental and public purposes and that the inducement of the location or expansion of the Project within the County and State is of paramount importance and that the benefits of the Project will be greater than the costs;

WHEREAS, the Company has requested the County to provide an infrastructure tax credit (hereinafter referred to as the "Infrastructure Credit") pursuant to Section 4-1-175 and Section 12-44-70 of the Act for the purpose of enhancing the infrastructure for the Project all as more fully set forth in the Inducement Agreement attached hereto;

WHEREAS, the Company has requested the County to place the project in a multi-county industrial/business park to provide economic incentives to the Company; and

WHEREAS, the County has determined on the basis of the information supplied to it by the Company that the Project would be a "project" as that term is defined in the Act and that the Project would subsserve the purposes of the Act.

NOW, THEREFORE, BE IT RESOLVED, by the County Council as follows:

Section 1. Pursuant to the authority of the Act and for the purpose of authorizing the Fee Agreement (as described in the Act) for the Project, there is hereby authorized to be executed a Fee Agreement between the County and the Company pertaining to the project involving investment in the principal amount of not less than Eighteen Million Dollars (\$18,000,000).

Section 2. The County agrees to place the project in a multi-county industrial/business park pursuant to the provisions of Section 4-1-170 of the Act.

Section 3. Pursuant to the authority of the Act and for the purpose of providing infrastructure to the Project, there is hereby authorized to be issued an Infrastructure Credit pursuant to the provisions of Section 4-1-175 of the Act in the amount of twenty-five percent (25%) of the payments in lieu of taxes collected from the Project for the first ten (10) years that payments in lieu of tax are collected from the Project. The Infrastructure Credit will be payable exclusively from payments in lieu of tax the County receives and retains (i) from the Company under the Fee Agreement authorized in Section 1 hereof and (ii) from the fee in lieu of tax due from the Project as the same will be located in a joint county industrial park existing between the County and an adjacent County. The Infrastructure Credit shall not constitute a general obligation or indebtedness of the County nor a pledge of the full faith and credit or the taxing power of the County.

Section 4. The County has agreed to assist the Company with and expedite the decision of all zoning and land use planning decisions necessary for the construction, occupancy and use of the Project as a manufacturing facility.

Section 5. The provisions, terms and conditions of the Fee Agreement by and between the County and the Company, and the form, details, and maturity provisions, if any, of the Fee Agreement shall be prescribed by subsequent ordinance of the County Council.

Section 6. The Chairman of County Council is hereby authorized and directed to execute the Inducement Agreement attached hereto in the name of and on behalf of the County, and the Clerk of the County Council is hereby authorized and directed to attest the same; and the Chairman of County Council is hereby further authorized and directed to deliver said executed Inducement Agreement to the Company.

Section 7. Prior to the execution of the Fee Agreement and the provision of the Infrastructure Credit, the County Council will comply with the provisions of the Home Rule Act regarding the procedural requirements for adopting ordinances and resolutions.

Section 8. All orders, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This resolution shall take effect and be in full force from and after its passage by the County Council.

Section 9. It is the intention of the County Council that this resolution shall constitute an official action on the part of the County relating to the inducement of the Project.

Done in meeting duly assembled this 18th day of July, 2006.

OCONEE COUNTY, SOUTH CAROLINA

By: H. F. Ables, Jr.
H. Frank Ables, Jr. Chairman of County Council
Oconee County, South Carolina

ATTEST:

By: Opal O. Green
Opal O. Green, Clerk to County Council
Oconee County, South Carolina

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: August 18, 2006
COUNCIL MEETING TIME: 7:00 pm

ITEM TITLE OR DESCRIPTION:

Referral of Ordinance 2006-09 "An Ordinance Regulating False Fire Alarms to Which Oconee County Rural Fire Departments Respond" to Planning Commission for Study

BACKGROUND OR HISTORY:

The intent of Ordinance 2006-09, adopted by County Council on May 1, 2006, is to curtail the number of the number of false fire alarms in the unincorporated areas of Oconee County by imposing penalties on the owner or lessee of properties to which rural fire departments repeatedly respond to false fire alarms, thereby saving not only tax dollars, but also significantly reducing the risk placed on those firefighters answering the calls. Some of the language contained within the regulations, however, may limit the effectiveness of the ordinance by making the rules applicable only to alarm systems officially permitted by agencies of Oconee County.

SPECIAL CONSIDERATIONS OR CONCERNS:

Enforcement of the regulations contained within Ordinance 2006-09 may be hampered until the language in question is reviewed, and possibly amended.

STAFF RECOMMENDATION:

Refer Ordinance 2006-09 to the Planning Commission for study and possible proposed amendments.

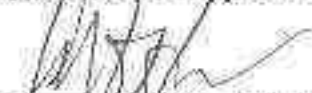
FINANCIAL IMPACT:

None

ATTACHMENTS:

Ordinance 2006-09

Submitted or Prepared by:



(Department Head/Elected Official)

Approved By:



Tom Hendricks,
Oconee County Administrator

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

_____ Other

C: Clerk to Council

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2006-09

AN ORDINANCE REGULATING FALSE FIRE ALARMS TO WHICH OCONEE COUNTY RURAL FIRE DEPARTMENTS RESPOND

ORDINANCES 2004-30 & 2004-05 ARE HEREBY RESCINDED IN THEIR ENTIRETY AND A NEW ORDINANCE IS ADOPTED TO READ AS FOLLOWS:

WHEREAS, Oconee County Rural Fire Departments respond on a regular basis to fire alarms which turn out to be false alarms; and

WHEREAS, responding to false fire alarms requires Rural Fire Departments to expend considerable money and manpower and exposes themselves and the public to danger and liability; and

WHEREAS, County Rural Fire Departments are unable to determine whether an alarm is false without responding to the call, thereby necessitating a response to each alarm; and

WHEREAS, it is the responsibility of the owner or lessee of every establishment or residence to purchase and maintain a reliable, approved and permitted fire alarm system.

NOW THEREFORE, BE IT ORDAINED, by the Oconee County Council, in session duly assembled with a quorum present and voting that:

- (A) Maximum annual limit. Every establishment or resident within the unincorporated areas of Oconee County having an approved and permitted fire alarm system shall be entitled to report a maximum of two (2) false alarms to an Oconee County Rural Fire Department with a one year (12 month) period without charge.
- (B) Service Charge. After determining that an Oconee County Rural Fire Department has responded to and arrived at the location of a false call or alarm, a fee shall be levied against the owner or lessee as follows:
 - (1) 1st and 2nd false alarm call - no charge
 - (2) 3rd and 4th false alarm call within one year (12 month) period - \$250.00 each
 - (3) 5th false alarm call - \$500
 - (4) 6th false alarm call and each additional false alarm call within one year (12 month) - \$1,000.00 each
- (C) Upon a violation of Section (B)(2) of this Ordinance, the County Fire Chief or his/her designee shall present an invoice for the fee imposed.

The County Rural Fire Department Office shall keep a duplicate of the invoice. The offending party shall have thirty (30) days to pay said invoice to the County. In the event that the offending party does not pay the invoice within thirty (30) days, Oconee County may file a civil action for the collection of said invoice. If Oconee County files a civil action to collect said invoice, Oconee County shall also be entitled to attorney's fees, Court costs and costs incurred for collecting said invoice.

ADOPTED this 1st day of May 2006.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SOUTH CAROLINA
COUNTY COUNCIL MEETING DATE: JULY 18, 2006
COUNTY COUNCIL MEETING TIME: 7:00 P.M.

ITEM TITLE OR DESCRIPTION:

Request for Maintenance Contract for the open farmland area of the Fair Play Commerce Center located just north of Fair Play on Highway 59.

BACKGROUND OR HISTORY:

Oconee County purchased this site of approximately 400 acres for the development of a Commerce Center (industrial park). The convenience of two highway interchanges, SC Highway 59 and Interstate 85 within two miles of the site places the Fair Play Commerce Center approximately midway between Atlanta, GA and Charlotte, NC two metropolitan hubs. This site is prime for industrial growth in the areas of manufacturing, distribution and warehousing.

SPECIAL CONSIDERATIONS OR CONCERNS:

Industrial clients visit this property; the site is listed on regional, state and local websites. The property needs to be maintained and groomed for presentation to potential buyers for facility locations.

STAFF RECOMMENDATION FOR COUNCIL ACTION:

Request County Council support Request for Bids for maintenance to include mowing of pasture land, (bush hogging) partial under-brushing of specified areas and road embankments and roadways maintained for presentation.

FINANCIAL IMPACT:

Request the maintenance be performed for agricultural products raised on the property in lieu of cash payment. No financial cost incurred by Oconee County.


ATTACHMENTS:

Map of property

Submitted By:


James W. Alexander, Director
Economic Development Commission

Approved for Submittal to Council:


Tom Hendricks
County Administrator

Reviewed By/ Initials:

 County Attorney

_____ Finance

_____ Other

Cc: Clerk to Council

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: 07/18/06
COUNCIL MEETING TIME: 7:00 p.m.**

ITEM TITLE OR DESCRIPTION:

Bid #06-01 Firefighter physicals to meet OSHA 1910.156, OSHA 1910.134, OSHA 1910.120 and NFPA 1582 Guidelines.

BACKGROUND OR HISTORY:

Oconee County Rural Fire Control has approximately 400 firefighter personnel, 18 fire stations, of which approximately 300 personnel will be required to take a physical. OSHA 1910.156, OSHA 1910.134, OSHA 1910.120 and NFPA 1582 guidelines mandate that any personnel who fights fire and/or wears an air pack or bunker gear, and can pass a qualified face fit test, must have an annual physical provided by their employer.

BID SOLICITATION HISTORY:

On July 12, 2006, formal sealed bids were opened for Fire Fighter Physicals. Five companies were originally notified of this bid opportunity. Three companies submitted bids, with North Greenville Fitness & Cardiac Rehabilitation Clinic, Inc., of Travelers Rest, SC submitting the lowest bid that met the specifications of \$200.00 per physical.

SPECIAL CONSIDERATIONS OR CONCERNS:

Firefighter Physicals mandated by OSHA and NFPA

STAFF RECOMMENDATION FOR COUNCIL ACTION:

Staff recommends that County Council approve award of the contract to North Greenville Fitness & Cardiac Rehabilitation Clinic, Inc. for an estimated amount of \$60,000 for Fiscal Year 2006-2007.

Additionally, staff recommends that County Council authorize the County Administrator to renew the contract for up to four succeeding years in accordance with the bid solicitation, and provided that their work is satisfactory.

FINANCIAL IMPACT:

For FY 06-07, County Council approved \$58,500.00 (budget code 010-102-30063) for firefighter physicals. The number of physicals may be adjusted and/or additional funds requested at a later date to assure all eligible firefighters are offered the physicals during this fiscal year.

ATTACHMENTS:

1. Bid tabulation
2. Letter of recommendation from Rural Fire

Submitted or Prepared By:


Marianne A. Dillard, Procurement Director

Approved for Submittal to Council:


Tom Hendricks, County Administrator

Reviewed By/ Initials:

____ County Attorney
____ Finance
____ Department

C: Clerk to Council

Approved Budget: Conference amount for bid item 558,500.00
Budget Code: 101 102 20082

I hereby certify that to the best of my knowledge this
number of bids to be opened
A. Robinson
Procurement Director

Bidders	Address	Approx Qty	Description	Oconee Family Practice		North Greenville Fitness & Cardiac Rehabilitation Clinic, Inc.		Professional Health Services, Inc.		AnMed		Center for Health & Occupational Services	
				Seneca, SC	Travelers Rest, SC	Haverstown, Pa	Anderson, SC	Greenville, SC					
				Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
300		Price per Physical		150.00	\$44,900.00	200.00	\$60,000.00	515.00	\$154,500.00		No bid		No bid
				149.00	\$44,400.00								
			* Price includes chest X-ray, not part of base bid.										
			Exceptions to specifications: no on-site physicals; no stress tests DID NOT MEET SPECIFICATIONS										

OCONEE COUNTY RURAL FIRE CONTROL

Location:
254 Camp Road
Walhalla, South Carolina 29691



Dewitt D. Mize
County Fire Chief
Michael E. Head
Deputy Fire Chief

Mailing Address:
415 N. Pine St.
Walhalla, South Carolina 29691
Telephone: (864) 638-4221
Fax: (864) 638-4225

July 14, 2006

To: Mr. Tom Hendricks, County Administrator
All Council Members

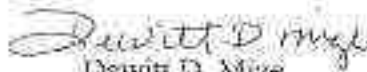
Subject: Physicals Oconee County Firefighters 2006-2007

Oconee Rural Fire Control recommends physicals be awarded to the North Greenville Fitness & Cardiac Rehabilitation Clinic, Inc. for the estimated amount of \$60,000.

North Greenville Fitness has met our specifications for firefighter physicals, including but not limited to onsite physicals for the convenience of our volunteers and stress testing per recommendation of the County Risk Management officer, Sheila Wald.

Thank you for your consideration of this bid.

Sincerely,


Dewitt D. Mize
County Fire Chief



COUNTY-WIDE FIRE PROTECTION AND PREVENTION

Proposed changes: Mr. Hendrix plans to recommend to County Council on 18 July that Operational control of GIS be moved from IT to Tax Assessor with IT retaining veto power over hardware and software, and that E-911 be moved to Planning/Building Codes where it is currently shown in the MGT staffing document. Arguments requested.

RESPONSE TO THE ABOVE PROPOSAL

The current IT management is opposed to the proposed organizational changes. This response will be broken down into three areas: 1 – Current literature and best practices, 2 – Impact on Oconee Projects, 3 – Oconee County organizational impact and cost implications. A summary concludes the response.

Overview:

The organizational location of GIS is essential to the overall efficiency, staff size, and cost of providing information and services to the citizens and internal users of Oconee County. Often it is difficult to accurately evaluate the impact of organizational changes on these key components, and because of this it is necessary to look to other organizations and practitioners to provide indications of best practices. An examination of this information clearly points to the fact that forward thinking/cost conscious organizations are consolidating GIS within information technologies to gain organizational efficiency. It is equally clear that the splitting of these functions will have a significant impact on at least two major projects--MCAS and Parcels/Land Use. Since the County Council has allocated \$750,000.00 to these combined projects, delay and reorganization is not in the best interest of the overall organizational goals of the County. Both the near and long term effects of the proposed change will be significant in terms of costs, staff size, and loss of organizational efficiency.

Current literature and best practices:

As noted by one the nation's largest GIS vendors, ESRI, GIS functions are rapidly being consolidated and absorbed into Information Technologies departments (ArcNews Online). Organizations are making these changes because of economic pressures and because the technology is advancing so that a few highly trained individuals are required to do much of the work, vs. a large number of clerks.

As noted in the Government Technology (Jun 2005), GIS data is becoming an enterprise resource that is utilized by numerous departments. Information Technologies provides a central and cohesive location that allows all departments to share this vital data.

As pointed out by Public CIO (7.7.06), the Office of Information Technology is responsible for GIS at the state level (N.J) and provides a central control so that like other data / IT resources, GIS is available to the various users within the state.

"Placing GIS within the Information Technologies department is a recent trend in local government. Cities and counties are recognizing that spatial data is a valuable resource that must be integrated and managed along with the organization's other data and IT resources" (American City and County).

From the Fairfax County, Virginia, 2006 IT Strategic Plan:

The breadth of GIS utilization across the County and the extent of its integration into the overall IT architecture have garnered numerous awards, including the "Best Of" award in 2003.

The City of Cupertino has been "using GIS within individual departments to enhance both operational and analytical functions since 1997. The City of Cupertino has organized their GIS efforts by placing GIS into the Information Technology Division. Centralizing GIS responsibilities within the I.T. Division have allowed the City to coordinate and manage GIS developments in concert with larger enterprise information system concerns." (City of Cupertino)

From Hennepin County, MN, Information Technology Department:

"In 2004, Hennepin County was recognized by the Center for Digital Government as one of the top ten counties in the nation for cutting-edge digital development. We are continuing our work in applications integration, GIS, and VIOP and expanding E-Government services."

The number of examples of numerous cost conscious and award-winning organizations is limited only by the amount of time available to look for them. The various documents are clear that most organizations have either consolidated GIS within Information Technologies, or have plans to do so. These changes are not haphazard, but the result of several major requirements.

- A) The reduction of overall staff;
- B) The reduction of overall cost;
- C) The increased integration of all aspects of information so that a county has one coherent data/information model.

Impact on Oconee County Projects:

Currently, the Information Technologies department has been addressing the road centerlines for about 6 months and anticipates completion of this project in the next two months. The purpose of this project is to resolve all of the address ranges for all roads within the County and to correct the road geometries.

Primary user of this information: New World Systems Dispatching in the 911 Center and the Oconee Memorial Hospital.

Project history: the previous plan for this project was to allow Arcadis (contractors) to fix all of our roads and addressing. Arcadis delivered to Oconee County in October 2005 the completed project; however, the work was so poorly done that it became apparent that the centerline addresses needed to be fixed. It is clear that the previous GIS management had decided that the only solution to this issue was the utilization of contractors; however, the County Council had

refused to fund this addressing project. The current IT management decided that this was a top priority and has continued to allocate resources to this project. Clearly, there is serious concern that the proposed changes will disrupt this project before completion.

The next step in this project will be to make sure that road network is navigable. There has been a significant amount of discussion with Greg Sears etc, about creating a point layer. This point layer would most likely contain on the order of 50k points, all of which would have to be addressed individually. It is IT's opinion that it is essential that the centerline project be completed and then the road network, which is about 70%+ completed at this time. There are also several other smaller corrections that need to be made, having to do with intersections and a zip code boundary issue. On point data, the current IT management believes that it will be possible to "do a database join" with much of the parcel data to existing addresses once the parcels are created. This is because I have reviewed the data and it seems like about 20k + good addresses exist tied to tax-map-number. This data could then be "merged in the database" to create a significant amount of the necessary point layer (current IT plan). It seems urgent that this project continues on course and on track, without being disturbed.

Parcels Project / Land use (\$447,000.00) –

The issues; the current IT management is looking toward this project for a clarification of the underlying database structure. The previous management had Arcadis provide a database layout. This database structure was presented as part of the ramp-up for this project as the correct database structure. However, it was readily apparent that it did not correctly consider the possibilities of environmental needs, i.e. it did not reflect the reality on the ground. The Database structure was not useable, and without timely intervention, would have been utilized. Currently, because of the rumored organizational changes, the database design has stopped and the assigned parties are waiting to see what will happen organizationally.

The current IT management feels that both addressing and parcel information need to reside in the parcels—this is opposed to the use of point data for addressing only and the parcels having limited or no addressing. The addressing is the physical address of the parcel and will be utilized as part of a point layer.

The base plan calls for:

- A) the contract to create the Parcels and populate the "New" database structure with both PIN(Parcel Identification Number) and tax map number, and land use information. Once this process is completed, we have our digital parcels. The information that will reside in a parcel layer will be 1) the parcel, 2) a lat-long driveway entrance point (point data) 3) building footprints. The plan calls for all of these data elements to be addressed from a single source. This reinforces the necessity of having GIS/Addressing combined since they are both functions which are working together to produce the necessary addressing information that will be accessed by the interested parties. The Parcels project shows the importance of combining addressing and mapping. The overall database

design is really a function of IT; however, the concerns of both GIS (Parcels) and Addressing are reflected in this plan.

From the research I have had done on this design it is clear that this is an efficient design, which should produce a significant saving of overall effort as opposed to pursuing separate functions to address the points and address the parcels. A further point here is that this combination is a prime example of why these various Mapping and Addressing functions should remain together. The combination of these functions has resulted in an excellent conceptual design of the parcel-related data elements. The thinking about address / parcels at the same time seems to be relatively unique, and would, if continued, well place Oconee County in respect to its parcel / addressing data database design (Singh noted on 6/28/06 that – "I talked to several other counties' GIS offices and all of them acted pretty surprised when asked for their parcel data model. I think we will be the first ones to implement something cool like that" (in other words, a "parcel data model" in database elements / terminology).

CAMA (Computer Aided Mass Appraisal) (\$250,000.00) – Currently, the IT management has made significant modifications to the CAMA RFP, as well as working to complete all of the Oconee County specific changes quickly so that this project may move forward. This project is closely related to the Parcels project because there is a significant amount of interdependence. There are also various workflow issues etc. The plan is to utilize the existing server infrastructure for this project. One of the concerns for this project is that it will require that a significant amount of "Database/Technical" resources be made available for the installing, setting up, etc. The current plan had called for the sharing of the "DBAs" with other projects – such as parcels, so that the overall human resource costs to the County would be kept to a minimum. Even though there was a request for a "DBA" as part of this project, it was determined that the available resources within IT would be adequate to do all anticipated projects (CAMA, PARCEL, Building codes, others). This was based on the realization that there were two individuals within the existing department that could perform these duties.

Clearly, this overlapping existing capability was critical to keeping the overall project costs down. The overlapping capability would no doubt be lost under the proposed changes. How detrimental this might turn out to be for this project is not clear; however, IT is committed to provide this "DBA" support. IT's concern is that the "Continuum" of support would break down, and that the overall level of support / cross training would be reduced. Once again, the operational costs to the County would be reduced and the overall performance would be enhanced by remaining with the current organizational structure. It is not that ongoing ability of IT would be reduced; it would be that overlapping layers of support would be reduced.

One of the operational goals that IT has been pursuing is the cross training, of staff, and it takes a certain size staff to allow for such training. Reorganization of

staff will reduce the development capability of the IT department. As noted later, a conscious decision has been made, such that, from top to bottom most capabilities are duplicated, whether it is providing addresses, flood plain checks, printing maps, drawing maps, working on centerlines address ranges, etc. The current staff size allows for cross training (as well as the decision to hire "generalists"). The reorganization of this department will result in less opportunity for this type of training, which is a result of the integration of closely related subjects, and will have an overall limiting effect on the development of technologies staff at Oconee County.

Oconee County Organizational Impact

- A) The containment of overall staff
- B) The containment of overall costs
- C) The increase of integration of all aspects of digital information for Oconee County

A) The containment of overall staff

When the workload of the County is evaluated, it is clear that the amount of work that is being done by the existing staff is very significant. In the Map room there are generally two full time individuals and a full time Temp. The current IT management made the decision, over objections, to hire a "generalist" to replace Martha Wright. The plan put forward by others was to hire someone who would do addressing only. The problem with that plan is that when that person was absent (as happened with Martha), no addressing could be performed and there was the issue that only one person could do the addressing correctly. Today, there are at least three individuals who are capable of doing the addressing. This has turned out to work very well. Because of the hard work of the individuals in the map room, Information Technologies is generally able to keep one individual working on the centerlines project full time. This has turned out to be very fortunate, since this is a critical project. If the department is reorganized, it will be much more difficult to keep one person working on the centerlines project. Also, looking at the way Oconee County operates, it is clear that the individuals who are working in the map room do a huge amount every day, and, luckily, because of the concentration of staff, IT has been able to continue to perform the necessary work without addition of staff. In reality the centerline project has resulted in a reduction in available staff by one, since a single individual is working almost full time on centerlines. Once again, the Oconee County IT department is very thinly staffed for what we are doing and the size of an environment we are supporting. We are able to do this by concentration of effort—everyone is working hard on a large number of issues. In a more segmented environment, this full staff utilization would not be

realized. When you look at the staff size / cost of other counties, the case can be made that they have larger staffs but are doing about the same amount of work. Because of the fact Oconee County is organized as it is, and because of the management decision to move toward generalization vs. specialization, quite a lot is being accomplished. When you examine Pickens, they have 8 individuals working in this area. If Singh (DBA) is excluded we have 5. However, we are doing at least as much. This is why it is clear that our level of organizational efficiency is greater, and Oconee County's costs are lower (0.88m Oconee County vs. 1.3m Pickens County); Pickens's costs are 140% greater than ours. Organizational efficiency is saving the County significantly. The reason that I have made comparisons to Pickens County is that the proposed changes mirror what is the current standard operating practice in our neighboring county. Of course, I have recently visited these departments and observed their operational practices. It is because of some familiarity with Pickens operations that I have a comfort level that these comparisons are accurate. If the proposed changes are implemented here in Oconee County, the predicted results will likely occur.

B) The Reduction of Overall Costs/Overlapping support

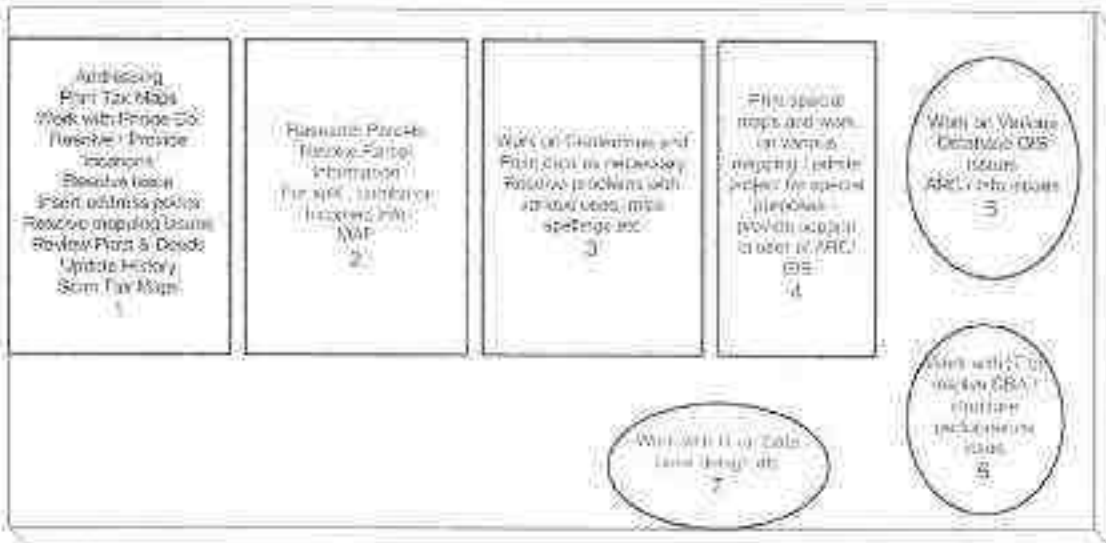
The chart below shows how the current staff provides a significant amount of overlapping coverage. This would most likely be lost in an organizational change. To replace this type of staff redundancy would be costly. Other costs savings will be realized through the organizational efficiency from the continued integration of the Information Technologies department. For example, as pointed out above, the integration of the of the various related disciplines will result--in the case of the parcels project--in a reduction of overall effort if some the technical initiatives can significantly reduce the time required.

IT Department overlapping capabilities

Maria 1,2,3	Veronica 1,3,6,7	Richard 5,6,7
Aimee 1,3	Mark 1,3,4	Lloyd 6
Greg E. 1,2	Joseph 1,3,4,5,6,7	

Clearly an organization – there is overlapping coverage – however would be lost if split apart

What this means – For example Maria can / does perform the duties in boxes below 1,2,3



Current IT management contends that any way you slice the carefully created overlapping capabilities of the IT Department, the capabilities would be reduced.

This realization would only be possible in an environment where these related disciplines are organized together, so that cross discipline thought can be easily shared. This leads to innovative problem solving. The current IT management is always trying to find an answer that does not require man years of effort to get a result, and is opposed to the blind keying of data, if there are any other possibilities. When looking at costs, the most significant reduction in overall expense for these related areas is the cost of staff. The more efficient execution of some of the larger projects will also result in costs saving.

Currently, it appears that when compared to the Pickens County Model, Oconee County is doing at least as much with 5 vs. 8 staff members. This willingness to think outside of the box and employ creative problem solving should save the County man hours working on various addressing issues. Oconee County appears to perform the same functions with a smaller more integrated staff. This lower staff level also has implications to

the overall cost of doing business. Each staff member has various direct costs (Salary, health insurance etc.), but there is also the indirect costs (A/C, electricity, etc). Since we are performing these functions with less staff, the general overhead is also less. Since Pickens has 160% of the staff of Oconee County, it seems reasonable that the indirect staff related costs are also of this magnitude. When looking at the overall organizational impact, it seems that Oconee County is doing more, at 71% of the cost and 63% of the staff. This is an indication of organization efficiency achieved by Oconee County's more integrated department.

C) The increase of integration of all aspects of digital information for Oconee County

This is a purely technical argument, however, over time it will have significant cost and operational considerations. When reviewing the literature, as noted above, many of those organizations repeat that "what is considered GIS data" is critical to the overall operational efficiency of a County. This data is used by multiple users/departments. This data is also integrated with various other "data processes" applications that provide value to both the citizens and employees of the county. As such, this information resource should be managed by the Information Technologies Department so that it can use this information as part of the overall data / informational resources of the County. A loss of the current integrated function of GIS will over time result in the duplication of data and effort. It is organizationally much better for a central information provider to manage this information for all users/citizens in a fair and impartial manner. Furthermore, this data is available to the Information Technologies Department to provide as part of various intra-net / inter-net applications etc. Additionally, many cutting edge applications combine GIS/Spatial data with other information such as information from EOC, Law Enforcement, public health, etc. This is the reasoning that many of the outstanding counties have used to justify centralization of this critical information resource. In one sense Oconee County has big advantage in that currently this resource is correctly placed organizationally to realize all the benefits described. Fiscal Year (06-07) could / should be an Information Technologies breakthrough year for Oconee County. If for no other reason, it seems that time should be given to the Information Technologies Department to fully realize the fruits of this fiscal year's plans. Disrupting those plans would cost the County time and resources. There is no doubt that splitting up these essentially Information Resources type responsibilities will result in increased staff requirements, increased overhead costs and lost opportunities because as noted above the integration of these related disciplines has already resulted in significant synergy and benefits to Oconee County.

SUMMARY:

As reviewed above, the trend in public government is to integrate GIS into the Information Technologies Department. Oconee County has, by its organizational structure, already realized significant savings in staff (83% of Pickens) and operational costs (71% of Pickens). The way we look at GIS data and operations appears to more flexible and innovative. Currently, we have significant overlapping of duties/capabilities within the IT staff. Information Technologies has several significant and large projects that will in all likelihood be adversely affected by a departmental reorganization.

I believe these proposed changes will have a notable short term impact on the operational viability of Oconee County's Technology Plans. Over the longer term, increases could be seen at the levels of 160% increase in staff and 140% increase in operational costs in the organizational units that are encompassed in the proposed changes. The additional staff and costs would be incurred by the citizens of Oconee County for no measurable improvement in results.

Recommendations:

Without a doubt, the 911 ordinance should be changed to reflect the current responsibilities of the IT department. Also, in previous discussions with Channon, it was agreed that it would make sense if there were some way that Building Codes could give out most addresses, as it would save the citizens some time. However, I think that this could wait until after the Parcels project is completed. It may be appropriate, as part of the building codes software implementation, to look more deeply at what could be done in this area. Other than that, I would recommend no other changes at this point. If the Information Technologies Department is unable to deliver the results that are on the current major task list (CAMA, Parcel, Building Codes) over the course this fiscal year, then the proposed changes should be revisited in 12 months.

Richard E. Reeves
IT Director
Oconee County

SUMMARY:

As reviewed above, the trend in public government is to integrate GIS into the Information Technologies Department. Oconee County has, by its organizational structure, already realized significant savings in staff (63% of Pickens) and operational costs (71% of Pickens). The way we look at GIS data and operations appears to more flexible and innovative. Currently, we have significant overlapping of duties/capabilities within the IT staff. Information Technologies has several significant and large projects that will in all likelihood be adversely affected by a departmental reorganization.

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Richard E. Reeves
IT Director
Oconee County



Oconee County

Assessor's Office

415 S. Pine Street, Walhalla, SC 29681

Tel - 864.638.4150 Fax - 864.638.4158

Leslie N. Smith—Assessor

received
7-11-06 AM

TO: Tom Hendricks, County Administrator

PROM: Leslie N. Smith, County Assessor

Cc: Phyllis Lombard, Director of Administrative Services
and Finance

DATE: July 11, 2006

RE: GIS/E-911

This correspondence is in reference to your memo of July 7 requesting comments pertinent to the proposed movement of operational control of GIS and E-911 from the Information Technology Department. Under the plan, GIS would become a division of the Assessor's Office and E-911 the Planning/Building Code Department.

It is my opinion that these changes appear logical for a number of reasons, most of which are related to customer service, legal responsibility, or technology.

Customer Service

I would like to first point out that both of these changes appear to make Oconee County Government more taxpayer friendly. In regards to moving E-911 to the Building Code/Planning Department this would be most beneficial because citizens frequently have to obtain a street address prior to obtaining a building or development permit.

Likewise, it would appear that customer service could be improved by movement of the GIS/Tax Mapping function to the Assessor's office. The reason being that since tax maps are one of the primary tools used in the assessment process, handling taxpayer inquiries concerning their assessment could be handled much more efficiently if both the assessment and mapping functions were handled by the same department.

Legal Responsibility

As indicated by the attached documentation the Office of County Assessor was created by state statute (Section 12-37-90) and comes under the regulatory authority of the South Carolina Department of Revenue (Sections 12-4-510, 12-4-520, 12-43-250). A review of Code Sections 12-37-90, 12-37-100 and Regulations 117-1740.2, 117-1740.3 and 117-1740.4 all clearly indicates both the law and the South Carolina Department of Revenue consider tax mapping the responsibility of the County Assessor. As indicated below, tax maps and the property assessment data base form the foundation of the county GIS program. Therefore, it would appear logical for the county official legally responsible for tax map development and maintenance to have operational control of the department performing the work.

Technological

A geographic information system (GIS) is the merger of multiple databases into a single data base utilizing geographical location as the common reference point. GIS development by local governments such as Oconee County generally involves three distinct phases. The first two involve the conversion of existing hard copy tax maps to digital form based on new aerial photography, and then linking them to the Assessor's data base where information about properties located on the maps are stored. This in essence forms the basic foundation for GIS development. Finally, other layers comprised of maps and data bases such as those pertaining to planning, zoning, public safety, voting districts, fire districts, building code enforcement, public works, and economic development is built upon that foundation. Once this has been completed the data is integrated, and highly sophisticated GIS software used to perform various types of analytical studies and create special purpose maps.

Examples of non tax related GIS uses include development of studies and maps related to zoning, road maintenance, crime, fire, accidents, water lines, sewer lines, voting district, emergency preparedness, soil type, flood maps, and routing. The goal of GIS development is to enable county officials to operate at maximum efficiency, which is of utmost importance given the growth Oconee County has experienced over the last few years, and the even greater population growth projected over the coming years.

In summary, the foundation of the GIS program is county tax maps and related property characteristic information contained in the Assessor's data base. As discussed above, the Assessor is the county official legally responsible for maintenance of both data sources, and therefore, should logically have operational control of both functions.

If you need additional information or would like to discuss this matter in greater detail, please let me know.

THE South Carolina DEPARTMENT OF REVENUE

ARTICLE 5.

POWERS AND DUTIES WITH RESPECT TO PROPERTY TAXES

SECTION 12-4-510. Power to levy taxes and order reassessment of property; grant of powers previously granted to State Board of Equalization and State Board of Assessors.

In addition to other powers and duties required by law, the department, in order to administer effectively the equitable assessment of property for taxation:

(1) has all of the powers conferred by law upon the former State Board of Equalization and upon the former State Board of Assessors before February 20, 1915;

(2) annually shall make the levy upon the assessed value of property subject to taxation necessary to raise the annual appropriations made by the General Assembly as it relates to private airlines and flight equipment;

(3) shall order reassessment of real and personal property, or any class or classes of either, or when, in the judgment of the department, the reassessment is advisable or necessary to the end that all classes of property in the assessment district are assessed in compliance with the law.

SECTION 12-4-520. Dealings with county tax officials; oversight of county taxation matters.

The department:

(1) shall call meetings of all county assessors, to provide instruction as to the law governing the assessment and taxation of all classes of property, and the department shall formulate and prescribe rules to govern assessors and county boards of tax appeals in the discharge of their duties;

(2) shall confer with, advise, and direct assessors and county boards of tax appeals as to their duties under the laws of the State;

(3) may visit any of the counties in the State to investigate the assessment, equalization, and taxation of all property subject to taxation and take any action necessary to insure the proper assessment, equalization, and taxation of the property;

- (4) as often as annually, shall examine all the books, papers, and accounts of assessors, auditors, treasurers, and tax collectors, with a view to protecting the interests of the State, counties, and other political subdivisions and rendering these officers aid or instruction. The department does not have jurisdiction over personnel or equipment purchases of political subdivisions;
- (5) shall require county auditors to place upon the assessment rolls omitted property which may have escaped assessment and taxation in whole or in part, in the current or previous years; and
- (6) may extend the time for the performance of the duties imposed upon the county assessors or auditors for the valuation of property for tax purposes, and, when the Comptroller General extends the time for the collection of taxes, the department may postpone the time for the imposition of penalties.

SECTION 12-43-250. Sales ratio studies; reassessment or remapping.

The department shall make sales ratio studies in all counties of the State and when, in the judgment of the department, a county needs to reassess or remap property, the department shall make application to the circuit court in which the county is located for a determination of whether or not the county shall be required to commence reassessment or remapping. If the circuit court determines that the county needs reassessment or remapping, such county shall be required to commence the reassessment or remapping within thirty days of such determination.

SECTION 12-37-90. Assessors to be full-time; responsibilities and duties.

All counties shall have a full-time assessor, whose responsibility is appraising and listing all real property, whether exempted or not, except real property required by law to be assessed by the department and property owned by the federal government, state government, county government, or any of its political subdivisions and which is exempt from property taxation. If the assessor discovers that any real property required by law to be assessed by the department has been omitted, he shall notify the department that the property has been omitted and the department is required to appraise and assess the omitted property.

The assessor is responsible for the operations of his office and shall:

- (a) maintain a continuous record of recorded deed sales transactions, building permits, tax maps, and other records necessary for a continuing reassessment program;

(b) diligently search for and discover all real property not previously returned by the owners or their agents or not listed for taxation by the county auditor, and list such property for taxation in the name of the owner or person to whom it is taxable;

(c) when values change, reappraise and reassess real property so as to reflect its proper valuation in light of changed conditions, except for exempt property and real property required by law to be appraised and assessed by the department, and furnish a list of these assessments to the county auditor;

(d) determine assessments and reassessments of real property in a manner that the ratio of assessed value to fair market value is uniform throughout the county;

(e) appear as necessary before an appellate board to give testimony and present evidence as to the justification of an appraisal;

(f) have the right of appeal from a disapproval of or modification of an appraisal made by him;

(g) perform duties relating to the office of tax assessor required by the laws of this State;

(h) be the sole person responsible for the valuation of real property, except that required by law to be appraised and assessed by the department, and the values set by the assessor may be altered only by the assessor or by legally constituted appellate boards, the department, or the courts;

(i) have the right to enter and examine all new nonresidential buildings and structures and those portions of an existing nonresidential building or structure covered by a building permit for renovations or additions.

SECTION 12-37-100. Assessor shall endorse deeds.

When any deed is recorded it shall be presented to the county assessor's office and have the endorsement of such office showing that the property has been identified and located on the records of the assessor's office.

117-1740.2. Cadastral Maps and Parcel Identifiers.

Section 1: Scope

This regulation provides requirements for the development and maintenance of cadastral maps and parcel identifiers which will be used by the Assessors to locate, inventory and appraise all real property within their jurisdiction. A county may elect to develop and maintain a manual mapping system or a digital (automated) mapping system; however, each county shall have a system of maps that conform to the minimum standards contained herein.

Section 2: Definitions.

A. Base maps locate the major physical features of the landscape and contain the fundamental information from which the cadastral maps are prepared. Base maps should be tied to the geodetic network, either by means of ground control surveys or satellite methods of surveying. Base maps provide the means to relate the locations of cadastral parcels to the geodetic reference framework. Base maps can be in the form of line maps (generated manually or by computer) or photographic maps. Regardless of the form, base maps are usually created from aerial photographs. Aerial photographs provide an efficient and economical means for preparing the base maps.

B. Cadastral maps, also known as tax maps, should be viewed as overlays to the base maps. There should be cadastral maps for the entire assessing jurisdiction, showing ownership, the size and position of each parcel in relation to other properties, bodies of water, roads, and other major geographic features. The maps should be produced at an appropriate scale and display all boundary lines, dimensions, or areas; identifying parcel numbers; and other pertinent legal and descriptive information. The maps provide a physical framework upon which non-physical parcel information can be displayed the maps provide a, such as assessment comparisons, land appraisals, and market or other statistical data.

C. A parcel of land, for the purposes of this regulation, is a contiguous area of land under one ownership. The parcel is the area of land that, as determined by the Assessor, should be included in the description for appraisal and assessment purposes after considering all legal and practical factors. Parcels may have been conveyed by one or more legal instruments, or created by survey, and may contain several lots or fractions of a lot. Each parcel represents one property record, which is one unit of land that is capable of being separately assessed.

Tom Hendricks

From: Henry Gordon
Sent: Monday, July 10, 2006 9:32 AM
To: Tom Hendricks
Subject: Tractor Trailer Collision on I-85 on July 8, 2006

On Saturday morning at 7:23 a.m., Hart County, Georgia requested assistance from Oconee County for fire and HAZMAT support to respond to a traffic accident on I-85 about one mile into Georgia from the SC line. One tractor trailer ran into the rear of another tractor trailer at about 7 a.m. causing an explosion and fire. The driver of the rear vehicle (Larry Ellison, age 58 of Lawrenceville, GA) was killed. The driver of the other truck was not seriously hurt. The trucks were transporting a variety of commercial and paper products. No hazardous materials were involved except for the diesel fuel spill. Fire Stations 8 (Fair Play) and 15 (South Union) and the County HAZMAT team responded. The Walhalla Rescue Squad also provided the County mobile command vehicle for support. The County HAZMAT Team contained the diesel fuel spill and Phillips Recovery of Anderson County did the clean up. The Oconee County resources cleared the scene at about 11:30 a.m. Both northbound lanes of I-85 remained closed until 2 p.m.

Henry

Henry H. Gordon, Jr.
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STATUS OF PANDEMIC FLU PLANNING IN OCONEE COUNTY

BACKGROUND

- Influenza pandemics have occurred three times in the last century [1918-1919, 1957-1958, 1968-1969 (Hong Kong Flu)]
- History and science suggest that the country will face one or more pandemics in this century. According to DHEC, "it is not if but when it will happen".
- A pandemic can cause severe illness, death, and disruption throughout the country and the world.
- Outbreaks can occur in many different locations at the same time.
- It is estimated that 40% of our workforce could be out due to illness or caring for a family member.
- The Federal government has committed to taking a leadership role in creating a prepared nation.
- President Bush and Governor Sanford have declared that every state and county will have a plan.
- States and local communities are responsible for responding to an outbreak within their own jurisdiction.
- Developing a pandemic flu preparedness plan will help our community deal with any type of mass medical emergency.

GOAL: To develop a skeleton County Pandemic Flu Plan by August 30, 2006

FACTS

- Oconee County Emergency Management (EM) in conjunction with DHEC conducted a Pandemic Flu Summit for Oconee County on June 27, 2006 in County Council Chambers. There were 36 attendees representing a cross-section of community leaders.
- Six planning group sectors with leaders were established. They are as follows:

Planning Group

Municipality & County Government
 Emergency Response/First Line Supervisor
 Health Care
 Education
 Local Business/Industry
 Community Services

Group Leader

Jerry Dyar, VA
 Terry Wilson, Mike Crenshaw, OCSO
 Joyce Lawhorne, OMH
 Michael Ehorstand, SDOC
 Rodney Brown, Duke
 David McCutcheon, United Way

- Oconee County EM and DHEC conducted a core pandemic flu planning session on July 11, 2006 in the Oconee County Emergency Operations Center (EOC) Meeting Room. There were 27 attendees.
- Each group was requested to provide a draft plan of their respective areas to the EM office by August 1.
- County EM will combine the input from the six planning groups into a draft County plan by August 15.
- A second pandemic flu planning meeting will be conducted on August 15, 2006 from 11:00 a.m. until 1:30 p.m. in the EOC Meeting Room to review the draft County plan.
- A third planning meeting will be conducted on August 22 from 11:00 a.m. until 1:30 p.m. in the EOC if needed.
- A table top exercise is planned for August 29 from 11:00 a.m. until 1:30 p.m. in the EOC to test and evaluate the County Pandemic Flu Plan.

NORTON, BALLENGER, & MAHON, P.A.

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Bradley A. Norton
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Julie E. Mahon

FYI

July 5, 2006

John D. Swift
Senior Vice-President
Merchants Capital, LLC
3060 Peachtree Road, North West
Suite 1700
Atlanta, GA 30385

Dear Mr. Swift:


My name is Bradley A. Norton and I am the County Attorney for Geesee County. I am writing concerning the professional service contract entered into between Merchants Capital and Ron Rabun, as County Administrator of Geesee County, South Carolina. As you may know, Mr. Rabun is no longer the County Administrator of Geesee County. In reviewing the minutes of Council meetings, it appears that the professional services contract between Geesee County and Merchants Capital was never approved by County Council. Under the Administrator form of government in South Carolina, County Council must approve all contracts of this type. Consequently, it is the County's position that the contract is invalid.

In the event that the County is in need of the type of services that your company renders, we will inform you of that need and allow you to bid for those services.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

NORTON, BALLENGER, & MAHON, P.A.


Bradley A. Norton
Attorney at Law

B.A.M./dms